

Application Serial No.: 10/680,113
Reply to Office Action dated April 22, 2005

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are presently active in this case, Claims 8 and 14 having been amended by way of the present Amendment. Claims 2-14 have been indicated as containing allowable subject matter.

The Official Action indicated that the Information Disclosure Statement included the listing of two applications, that were indicated as not being prior art. The Applicants note that, while these applications may not be prior art, they are related cases that the Examiner may consider as being material to patentability. Thus, these applications have been disclosed by the Applicants to satisfy their duty of disclosure, and the Office is obligated to consider these references.

Claims 8 and 14 were objected to for minor informalities. Claims 8 and 14 have been amended to remove parenthesis. Accordingly, the Applicants request the withdrawal of the objection to Claims 8 and 14.

In the outstanding Official Action, Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Lovrenich (U.S. Patent No. 4,635,911). For the reasons discussed below, the Applicants respectfully traverse the anticipatory rejection.

In the Office Action, the Lovrenich reference is indicated as anticipating Claim 1. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art

reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Lovrenich reference clearly does not meet each and every limitation of independent Claim 1.

Claim 1 of the present application recites a clamping device comprising, among other features, a first clamping arm, an arm driving portion for displacing the first clamping arm to a clamping position and a non-clamping position, and a clamping force applying portion for applying a required clamping force to the clamping arm. The arm driving portion includes a first driving source for displacing the first clamping arm and a power transmission mechanism for transmitting a driving force from the first driving source to a rotary shaft of the first clamping arm. The clamping force applying portion includes a pressing member for applying the clamping force to the first clamping arm by applying a rotating force in a clamping direction to the rotary shaft and a second driving source for displacing the pressing member from a non-operating position to an operating position for applying the clamping force.

By way of illustration and not limitation, the present application describes an embodiment in which a first clamping arm (11) is mounted on a rotary shaft (13). When displacing the arm (11) to a clamping position and a non-clamping position, the rotary shaft (13) is rotated by a first driving source (21) of an arm driving portion (20). When applying clamping force to the first clamping arm (11), rotating force in the clamping direction is applied to the rotary shaft (13) via a pressing member (43) by a second driving source (41) of a clamping force applying portion (40). To the contrary, the Lovrenich reference does not

disclose both an arm driving portion and a clamping force applying portion, or two such driving sources.

The device of the Lovrenich reference includes a clamp arm (53) mounted on a clamp rod (37) actuated by a piston (35), and the clamp arm (53) is moved to a clamping position by a linear motion of the clamp rod (37) to an axial direction. Further, movement of the clamp rod (37) and application of clamping force to the clamp arm (53) are both carried out by a worm wheel (17) and crank arms (21, 23) having curved guide slots (25, 27) in which a shaft (19) of the worm wheel (17) is engaged.

The only driving source described in the Lovrenich reference is the electric motor (11). The motor (11) is not a power transmission mechanism, but rather a drive motor. The drive gear (13) and worm wheel (17) presumably act as the power transmission mechanism of the arm drive portion. However, the Lovrenich reference does not disclose a clamping force applying portion including a second driving source for displacing a pressing member for applying a clamping force, as recited in Claim 1 of the present application. No second driving source is present in the Lovrenich reference. The Official Action cites the over-center crank rod (presumably crank rod 21 or 23) for the teaching of the clamping force applying portion. However, the crank rods (21, 23) are not driving sources, but rather driven members.

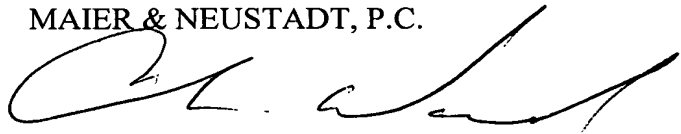
Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection of Claim 1.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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